

17-02-34-43
See highlighted section
on density & developable area.

CITY OF SPRINGFIELD
DEVELOPMENT SERVICES DEPARTMENT
225 FIFTH STREET
SPRINGFIELD, OR 97477
541 726-3753

NOTICE OF DECISION - LIMITED LAND USE - PARTITION
TAX LOT 400 ASSESSOR'S MAP 17-02-34-43

DATE OF LETTER
February 12, 2003

JOURNAL NUMBER
2001-10-217

ASSOCIATED JOURNALS
2001-10-0216 Zone Change Application
Approved January 7, 2003

APPLICANT / PROPERTY OWNER
Mitch Ward
P. O. Box 1280
Springfield, Oregon 97477

SURVEYOR / ENGINEERING
Scott J. Goebel Engineering & Surveying Attention: Lyle
1762 West 2nd Street
Eugene, Oregon 97402

DECISION
Tentative Partition approval, with conditions, as of the date of this letter.

OTHER USES AUTHORIZED BY THIS LETTER
None.

SITE INFORMATION/ BACKGROUND
The applicant/owner requests that Tax lot 400 be partitioned into three (3) parcels. The 2.21 acre site is currently undeveloped. The site is a low terrace from Main Street at the north end and rises steeply toward the south property line. There is a fenced wetland reclamation area in the center of the site, which was designed in April of 1994. The wetlands area will be maintained; therefore, reducing the development area of the site to approximately .5 acres.

The site was rezoned Medium Density Residential (MDR) in compliance with the *Metro Plan* on January 7, 2003, at a public hearing before the Springfield Planning Commission (Journal Number 2001-10-0216). Prior to that date it was zoned Low Density Residential. Described as Tax Lot 400 Assessor's Map 17-02-34-43, the site has approximately 146 feet of street frontage on Main Street. The site is designated MDR in the *Metro Plan* and is not part of any refinement plan area. On the east it abuts property zoned LDR; on the south it abuts the City limits and LDR-UF10 zoning; on the west it abuts MDR zoning.

17-02-34-43

EXPLANATION OF THE NATURE OF THE APPLICATION

A Partition and Zone Change application were originally submitted on October 29, 2001, but were determined to be incomplete. Additional information pertaining to the wetlands and also approved access to Main Street from the Oregon Department of Transportation were requested. The applicant was granted an extension and submitted additional information on November 22, 2002.

There is a previously impacted wetland, which lies approximately in the center of the site. The parcel was the subject of a Division Enforcement Action on November 1993, when material was mistakenly placed in jurisdictional wetlands during a project to develop the site. Corrective actions were taken and have been successful. Landscape Ecologist, Michael Shippey, submitted a September 2002, *Natural Resource Inventory Assessment* to document the extent of the jurisdictional wetlands now present on the site.

The developable acreage on the subject property has been dramatically reduced by the presence of the wetlands and the steep southerly slope. Excluding the wetlands and unbuildable slope area, it is estimated by the applicant/owner that 0.44 acres of developable area remain. The applicant asserts that the medium density requirement of the 0.44 acreage would be a minimum of 4 units and a maximum of 9 units. Staff has estimated the buildable area to be approximately .51 acres, which would increase the number of minimum density units to 5 and maximum units to 10 units. A condition of partitioning will be to re-calculate the buildable area after the wetland setbacks and hillside slope requirements have been determined if the applicant wishes to develop the site with fewer than 5 units.

The proposed partition is intended to create three, medium density residential parcels with temporary access via a private driveway from Main Street and future access from the proposed extension of Aster Street.

WRITTEN COMMENTS

Limited Land Use Decisions require the notification of property owners/occupants within 100 feet of the proposed development allowing for a 14-day comment period prior to the staff decision. No written inquiries were received by staff.

CRITERIA OF APPROVAL

Section 34.050 of the Springfield Development Code states: "The Director shall approve, approve with conditions or deny the request based on the following criteria:"

• *CRITERIA OF APPROVAL: 1*

SDC 34.050 (1) THE REQUEST AS CONDITIONED, FULLY CONFORMS WITH THE REQUIREMENTS OF THIS CODE PERTAINING TO: LOT SIZE AND DIMENSIONS, THE EFFICIENT PROVISION OF PUBLIC FACILITIES AND SERVICES, STREET IMPROVEMENTS AND CONSIDERATION OF NATURAL FEATURES."

LOT SIZE AND DIMENSIONS

SDC 16.030 states: "The minimum lot size in all residential districts shall be as follows: (1) Lots on east-west streets shall have a minimum lot size of 4,500 square feet and a minimum lot frontage of 45 feet." SDC 16.030(3)(e) states: "Each lot on a cul-de-sac bulb shall have a minimum of 35 feet of frontage and a minimum lot area of 6,000 square feet".

The submittal proposes to partition Tax Lot 400 into three parcels with temporary access from Main Street and future access from an Aster Street cul-de-sac; both streets are east-west streets. Proposed Parcel #1 is approximately 9,015 square feet with 63 feet of frontage on Main Street and 35 feet of frontage on the Aster Street cul-de-sac bulb; proposed Parcel #2 is approximately 13,461 square feet with 63 feet of frontage on Main Street and 35 feet of frontage on the Aster Street cul-de-sac bulb; and, proposed Parcel #3 is approximately 71,702 square feet with only 20 feet of frontage on Main Street and 44 feet of frontage on the Aster Street cul-de-sac bulb.

Finding: All proposed parcels meet and exceed the required lot size and dimensions on an east-west street and for a cul-de-sac bulb as stated in SDC 16.030(1) and (3)(e); therefore, this criterion has been met.

Finding: The required street frontage for proposed Parcel #3 and the width of the temporary Main Street driveway are addressed in the report under the STREET IMPROVEMENT section.

THE EFFICIENT PROVISION OF PUBLIC FACILITIES AND SERVICES

SDC 32.010(1) states: "The intent of this Article is to ensure that public and private improvements are installed and serve development in accordance with the *Metro Plan*". SDC 34.070 states: "All proposed partitions shall meet the public and private improvement standards of Article 32, Public and Private Improvements." SDC 34.070(3) requires connecting to utilities to satisfy the standards of Article 31, 32, and the appropriate zoning district.

In order to facilitate the efficient development of public facilities and services public easements are required. SDC 34.030 states: "The format of the plan and the data to be shown shall be as follows: (8) The location, widths and purpose of all existing or proposed easements on and abutting the proposed partition." SDC 32.120(5) states that the standard width for public utility easements adjacent to street rights-of-way shall be 7 feet.

The applicant's submittal shows a 7' PUE along the future Aster Street cul-de-sac bulb. It proposes a 20' wide private joint-use utility/access/maintenance easement along the northern property line of Parcel #2, which will provide Main Street access to Parcel #3. That 20' wide private easement makes a 90 degree turn to the east to provide access to Parcel #1. The east-west portion of the easement runs over the top of an existing 8" sanitary sewer PUE that runs east-west through the middle of the site. These easements will be discussed later as they pertain to site access.

Finding: SDC 34.030(8) requires that the applicant dedicate additional easements for public access along Main Street. To facilitate pedestrian access and safety, SDC 32.040(3(c)) requires sidewalks to be 7 feet in width along Main Street east of 10th Street. The existing sidewalks are 4.8 feet in width. The applicant has not proposed a PUE along the Main Street right-of-way and none exists at this time. In order to accommodate future development, a 10 foot PUE shall be dedicated along the Main Street right-of-way.

Condition #1: A 10' wide PUE shall be dedicated along the Main Street right-of-way.

The applicant's submittal does not include the location and size of all existing and proposed utilities. The only utility services shown are sewer to all parcels and storm sewer service to proposed Parcel #3.

Finding: SDC 34.03(7) requires the location and size of all existing and proposed utilities including but not limited to, sanitary sewer mains, storm drains, water lines, electric, telephone, TV cable, and gas lines. SDC 32.120(2) requires all utilities to be placed underground. SUB has an overhead line along Main Street that the applicant must connect to and then provide underground electrical to all three proposed parcels. The Partition Plat must show the location of those underground routes and any private easements that will be necessary to accommodate the development proposal.

Condition #2: As per SDC 34.030(7) a private utility plan showing the location of the proposed buried utilities shall be submitted and approved by the City prior to approval of the Partition Plat. That private utility plan shall provide the necessary public and private easements to accommodate the utility development proposal as conditioned. The public easements shall be reserved on the Plat or by separate instrument. The private easements must be reserved on the Plat by separate instrument prior to approval of the Partition Plat

Finding: SDC 32.070(1) requires that all private and public improvements shall be installed and served in accordance with the Metro Plan.

Condition #3: All of the private utilities shall be installed underground prior to recording the Partition Plat as required in SDC 32.010(1), 34.070, and 34.070(3).

Sanitary Sewer:

SDC 34.030(7) requires that the location and size of sanitary sewer shall be shown on the tentative plans. SDC 32.100(1) states: "... sanitary sewers shall be installed to serve each new development and to connect developments to existing mains. Installation of sanitary sewers shall comply with the provisions of this Code, the Standard Construction Specifications, Chapter 2 of the Springfield code, and Department of Environmental Quality (DEQ) regulations. In addition the following shall apply:

(a) All sanitary sewer mains shall be at least 8 inches in diameter and all sewer laterals shall be at least 4 inches in diameter . . .”

Section 32.100(2) states: “The City Engineer shall approve all sanitary sewers plans and proposed systems prior to development approval.”

The applicant’s submittal shows an existing 14’ sanitary sewer PUE running east-west across the rear of proposed Parcels #1 and #2. It is located where Aster Street r-o-w would have been if the site was not impacted with wetlands. Within the 14’ PUE is an existing 8” sanitary sewer line, which will provide service to proposed Parcels #1 and #2.. The applicant proposes a 6” sanitary sewer lateral along the northerly property line of the site, which will connect proposed Parcel #3 to the existing 8” sanitary sewer line.

As mentioned earlier, the submittal proposes to build a temporary access driveway over the top of that existing PUE. While this is an approved use, staff strongly suggests that the temporary driveway and the permanent driveways for Parcels #2 and #3 be moved south toward the 25’ wide wetland’s boundary rather than pave over the existing sanitary sewer line within the 14’ PUE.

Finding: The applicant’s proposal does not fully demonstrate how the proposed sanitary sewer line for Parcel #3 will cross two existing 24” culverts, which are located toward the middle of the site, nor does it provide any additional private easement for proposed Parcel #3 sanitary sewer line. The applicant shall provide additional information, which demonstrates that the proposed route of the 6” line can be constructed to cross the two existing culverts.

Condition #4: The applicant shall provide additional information, which will demonstrate that Parcel #3 may be served by the 6” proposed sanitary line.

Storm Sewer:

SDC 32.110(1) states: “The Approval Authority shall grant development approval only where adequate provisions for storm and flood water run-off to the City storm water drainage system have been made as determined by the City Engineer. The storm water drainage system shall be separated from any sanitary sewer system. Surface water drainage patterns shall be shown on every Site Plan or Final Plat . . .

(4) A development shall be required to employ drainage management practices approved by the City Engineer and consistent with *Metro Plan* policies which minimize the amount and rate of surface water run-off into receiving streams. Run-off from impervious surfaces shall be directed to an approved drainage or drainage system with sufficient capacity to accept the discharge . . .”

The applicant has submitted a proposal, which provides a storm sewer plan specific to proposed Parcel #3 and then proposes to connect its storm water sewer to an ODOT facility.

Finding: SDC 34.030(3) states that the proposed plan for drainage including handling storm water overflow for each individual parcel, sheet flow from adjacent properties and the driveways shall be shown on the tentative plan.

Finding: Due to the high groundwater level on the site, the applicant shall also provide for storm water collection of roof drains.

Condition #5: The applicant shall submit a storm water drainage plan for approval prior to the recording of the Partition Plan. The plan shall demonstrate compliance with the requirements of SDC 34.030(3), which will include proposed drainage for storm water overflow for each individual parcel, sheet flow from adjacent properties, driveways and storm water collection systems for roof drains as stated above.

Finding: The applicant proposes using an ODOT facility for its storm water and shall be required to obtain a permit from ODOT for use of their storm water facility.

Condition #6: The applicant shall submit an ODOT facilities permit demonstrating compliance with SDC 34.030(3) prior to the recording of the Final Partition Plat.

Finding: SDC 32.110(4) requires a development to employ drainage management practices approved by the City Engineer and that are consistent with the Metro Plan policies. The best available management practices must be implemented to achieve the highest practicable treatment of urban storm water prior to discharge into the McKenzie River. Double chambered catch basins with oil filtering media shall be installed to collect storm water run-off from all driveways. The catch basins are required to be checked and cleaned to remove pollutants at least once a year. All waste material shall be disposed of in a lawful manner. The owner/developer shall document the maintenance activities and submit a certificate of inspection/maintenance to the City each year.

Condition #7: The owner/developer shall provide multi-chambered catch basins that collect storm water run-off from the driveways, which will demonstrate compliance with the City's Storm Water Quality requirements and documentation of yearly maintenance activities.

CONSIDERATION OF NATURAL FEATURES

The Hydric Soils Map, the Draft Springfield Wetlands Inventory Map, the National Wetlands Map, the FEMA flood zone maps, the Metro Natural Resources Special Study, the Washburne Historic District, and the Historic Landmark Sites Listing have all been examined.

Finding: No significant cultural features have been identified on this site in any of these inventories; therefore, this criterion has been met.

Finding: The property is a low terrace at the north end, rising up steeply at the south. There is a previously impacted wetland, which lies approximately in the center of the site. The site was the subject of a Division Enforcement Action on November 1993 when material was mistakenly placed in jurisdictional wetlands during a project to develop the site. Corrective actions were taken and have been successful. Landscape Ecologist,

Michael Shippey, submitted a September 2002, Natural Resource Inventory Assessment, which documents the extent of the jurisdictional wetlands now present at the site.

Finding: The developable acreage on the subject property has been dramatically reduced by the presence of the wetlands and the steep southerly slope. Excluding the wetlands and unbuildable slope area, it is estimated by the applicant/owner that 0.44 acres of developable area remain. Medium Density requirement of the 0.44 acreage would be a minimum of 4 units and a maximum of 9 units. Staff has estimated the buildable area to be approximately .51 acres, which would change the minimum density units to 5 and maximum units to 10 units. A condition of partitioning will be to recalculate the buildable area after the wetland setbacks and hillside slope requirements have been ascertained so as to determine the minimum and maximum dwelling units required on the site over-all. The applicant shall meet the over-all density standards even though the site is being partitioned into three parcels.

Condition #8: The buildable area is approximately .51 acres, which would therefore require a minimum density of 5 units and a maximum density of 10 units.

Finding: The City generally requires a 25' wetland buffer easement around wetlands, which facilitates maintenance vehicles to set up and perform required future maintenance. There are two existing east/west culverts that run into the wetlands and under the proposed driveway for Parcel #3. The Wetland is hydrologically and vegetatively connected to a large band of wetlands that travel east to west along the toe slope of the steep hills to the south. Due to the size of the wetland's legal boundaries and the proposed access configurations, the City has determined that a 15' wetland buffer easement will be adequate for the east and south wetland boundary and a 25' buffer easement for the west and north boundaries. The City generally requires a 12' wide all weather road for maintenance access around wetlands; however, it has been determined that an access road along the south and east boundaries is not required because the proposed panhandle driveway along the westerly wetland boundary and the all weather joint use access road along the northerly wetland boundary will provide adequate maintenance access.

Condition #9: The applicant shall dedicate a wetland buffer/maintenance easement of 25' wide along the west and north boundaries of the wetlands and a 15' wide buffer/maintenance easement along the east and south boundaries of the wetlands.

Condition #10: The applicant shall provide a minimum 12' wide all-weather road for wetland maintenance access within the 25' wetland maintenance easement along the northern and western border of the wetlands.

Note: The exact location of that joint-use access driveway across proposed Parcels #1 and #2 will be discussed under STREET IMPROVEMENTS.

Finding: SDC 38.010(2) states: "... no person may fell more than 5 trees 5" dbh (diameter at breast height) or larger within a single calendar year from a lot of private or public property under common ownership consisting of 10,000 square feet or more

of total area without a permit except lots within approved developments which have building envelopes and a Tree Protection Plan"; therefore, as a condition of Partition the applicant shall secure an approved Tree Felling permit to remove more than 5 trees from Tax Lot 400

Condition #11: A Tree Felling Application and approval shall be required prior to the removal of more than 5 trees 5" dbh or larger within a single calendar year from tax lot 400.

STREET IMPROVEMENTS

PUBLIC AND PRIVATE IMPROVEMENTS 32.010 General. (1) The intent of this article is to ensure that public and private improvements are installed and that service development is in accordance with the Metro Plan.

The submittal proposes temporary access to Main Street for all of the proposed parcels until the Aster Street cul-de-sac is built and then ODOT will require the closure of the Main Street curb cut.

SDC 32.020(10)(b) states: "Whenever a proposed land division or development will increase traffic on the City street system and that development has any unimproved street frontage abutting a fully improved street, that street frontage shall be fully improved to City specifications in the following instances . . . (4)(a) . . . cases of unimproved streets, an Improvement Agreement shall be required as a condition of Development Approval postponing improvements until such time that a City street improvement project is initiated.

Finding: The subject property is zoned MDR and could in theory support up to five residential dwelling units. Based on ITE Land Use Code 230 (Residential Condominium/Townhouse) this trip generation is estimated to be as follows:

- Average Weekday = 5 dwelling units x 5.86 trips per dwelling unit = 29 trips*
- PM Peak Hour = 5 dwelling units x 0.54 trips per dwelling unit = 3 trips*

Finding: Main Street abutting the site is a State Highway and is classified as a Major Arterial street per SDC 32.020 (4) (a). It is improved to urban standards with paving, curb, gutter, sidewalk and street lighting; however, there are no street trees along Main Street at this location. SDC 32.010(2) requires improvements where necessary.

Finding: SDC 32.050 states that street trees shall be required for all developments approved under Type II procedures. SDC 32.050(1) refers to Subsections (10), (11), (12) and (13) to determine which species are permitted or prohibited as street trees. SDC 32.050(2) states that except where there are physical restrictions, street trees shall be spaced at 30-foot intervals. Street trees shall not be planted closer than 5 feet of private driveways or fire hydrants. The applicant shall plant street trees on Main Street and sign an Improvement Agreement prior to Subdivision Plat approval that will provide for the full street improvements of the future Aster Street cul-de-sac.

Condition #12: The applicant shall execute an Improvement Agreement for full street improvements, which include but are not limited to paving, curbs, gutter, sidewalks, street light and street tree improvements on the future Aster Street cul-de-sac bulb prior to the recording of the Partition Plat.

Condition #13: In order to comply with SDC 32.010 and SDC 34.050, which assures the installation of private and public utilities the installation of these utilities shall be installed by the developer prior to the recording of the Partition Plat along with the dedication of any private easements necessary for those installations.

Condition #14: Prior to Partition Plat approval street trees with a minimum caliber of 2 inches, which are selected from the City's approved list and placed at 30-foot intervals shall be planted along the full 126' of Main Street frontage of Tax Lot 400.

Finding: The Springfield Conceptual Road Network map calls for access to this site to be provided via an extension of Aster Street from the east, but this extension has not yet been constructed. The applicant proposes to dedicate sufficient right-of-way to allow Aster Street to terminate in a cul-de-sac with a minimum 35' of frontage for each of three proposed parcels.

Finding: SDC 32.080(1) (a) stipulates that each parcel is entitled to "an approved access to a public street." The subject site currently has two driveway curb cuts onto Main Street. The applicant proposes to close these two curb cuts and provide temporary access to the three parcels via a single 20-foot wide driveway to Main Street at the western site boundary of Tax Lot 400. In conjunction with an L-shaped joint-use access easement extending to Parcels #2 and #3, this driveway would serve all three parcels until alternate access becomes available through construction of the Aster Street cul-de-sac. The applicant has applied to the Oregon Department of Transportation (ODOT) for the permit necessary to revise site access for only one curb cut. As drawn, the proposed panhandle/easement access does not meet requirements of SDC 16.030 (3) (b) regarding multiple panhandle driveways being 26' wide; however, ODOT is requiring a 24' wide approach.

Finding: Given the needs to provide for adequate site access, both immediately and in the longer term, platting of a panhandle-lot driveway to Main Street is not appropriate. All three parcels shall be configured to best utilize future access via Aster Street, and temporary access shall be developed over a private joint-use access easement.

Condition #15: Prior to Partition Plat approval a temporary 24' wide joint-use/access/maintenance easement over proposed Parcel #2 shall be executed and recorded. The purpose of the easement is for temporary access for all three proposed parcels to Main Street until which time Aster Street is constructed and then all three parcels shall take access from Aster Street cul-de-sac and ODOT will require the curb cut on Main Street to be removed. The temporary joint-use access/maintenance easement shall include provisions that terminate all access rights to Main Street and all maintenance obligations for Parcels #1 and #3 at such time as legal, alternative access for the three parcels becomes available via Aster Street or any other public street.

Condition #16: A 10' wide clear vision triangle shall be maintained at the corners of all required driveways as stated in SDC 32.070.

Condition #17: As per ODOT requirements, the two existing curb cuts onto Main Street shall be closed prior to Partition Plat approval.

Condition #18: The applicant shall revise the configuration of Parcels #2 and #3 to accommodate the required 25' wide wetland buffer along the northern boundary of the wetland (Condition #9). The revised configuration shall provide individual access for both proposed Parcels #2 and #3 and accommodate the requirement for a 12' wide all-weather access road within the 25' wide wetland buffer (Condition #10).

Finding: As conditioned above the proposed temporary driveway and access easement will:

- provide safe and adequate temporary access to Main Street*
- avoid potential access obstructions and property owner conflicts associated with joint-use residential driveways, and*
- facilitate development of logical, safe and efficient future access to Aster Street for all proposed parcels.*

Finding: In order to satisfy provisions for storm water requirements of SDC 34.070(3), the first 18' of each parcel driveway shall be paved.

Condition #19: A minimum of the first 18' of each required driveway shall be paved prior to recording of the Partition Plat.

• CRITERIA OF APPROVAL: 2

SDC 34.050 (2) THE ZONING IS CONSISTENT WITH THE METRO PLAN DIAGRAM AND/OR APPLICABLE REFINEMENT PLAN DIAGRAMS.

The property is now zoned Medium Density Residential (MDR) after the approval of the Springfield Planning Commission on January 7, 2003. The site is designated MDR in the *Metro Plan* and is not part of any refinement plan area.

Finding: This criterion has been met because the zoning is consistent with the Metro Plan Diagram.

• CRITERIA OF APPROVAL: 3

SDC 34.050 (3) DEVELOPMENT OF ANY REMAINDER OF THE PROPERTY UNDER THE SAME OWNERSHIP CAN BE ACCOMPLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE.

The submittal proposes to partition Tax Lot 400 into three parcels.

Finding: This criterion has been met because all of the property under the same ownership is proposed to be partitioned to meet current code requirements.

• **CRITERIA OF APPROVAL: 4**

SDC 34.050 (4) ADJACENT LAND CAN BE DEVELOPED OR IS PROVIDED ACCESS THAT WILL ALLOW ITS DEVELOPMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE.

The submittal proposes partition of one lot that has frontage on Main Street and future frontage on Aster Street cul-de-sac.

Finding: This criterion has been met because all of the adjacent land is developed and/or has access to Main Street or Aster Street.

ADDITIONAL REQUIREMENTS:

SYSTEMS DEVELOPMENT CHARGES

The System Development Charges are determined when a building permit is issued. The cost relates to the amount of increase in impervious surface area, transportation trip rate, and plumbing fixture units.

SANITARY SEWER IN-LIEU-OF-ASSESSMENT CHARGE

Ordinance No. 5584 requires a payment of Sanitary Sewer In-Lieu-of-Assessment charges in addition to the regular connection fees if the property or portions of the property being developed have not previously been assessed or otherwise participated in the cost of a public sanitary sewer.

OTHER CITY PERMITS:

An Encroachment Permit is required for all work in public easements and rights-of-way.

The applicant shall obtain a final permit authority from ODOT for revised access to Main Street.

A Land & Drainage Alteration Permit is required, prior to any site preparation or development.

A Tree Felling Permit is required if 5 trees 5" dbh (diameter at breast height) or larger are fell within a single calendar year from a lot or abutting lots of private or public property under common ownership consisting of 10,000 square feet or more

Condition #9: The applicant shall dedicate a wetland buffer/maintenance easement of 25' wide along the west and north boundaries of the wetlands and a 15' wide buffer/maintenance easement along the east and south boundaries of the wetlands.

Condition #10: The applicant shall provide a minimum 12' wide all-weather road for wetland maintenance access within the 25' wetland maintenance easement along the northern and western border of the wetlands.

Condition #11: A Tree Felling Application and approval shall be required prior to the removal of more than 5 trees 5" dbh or larger within a single calendar year from tax lot 400.

Condition #12: The applicant shall execute an Improvement Agreement for full street improvements, which include but are not limited to paving, curbs, gutter, sidewalks, street light and street tree improvements on the future Aster Street cul-de-sac bulb prior to the recording of the Partition Plat.

Condition #13: In order to comply with SDC 32.010 and SDC 34.050, which assures the installation of private and public utilities the installation of these utilities shall be installed by the developer prior to the recording of the Partition Plat along with the dedication of any private easements necessary for those installations.

Condition #14: Prior to Partition Plat approval street trees with a minimum caliber of 2 inches, which are selected from the City's approved list and placed at 30-foot intervals shall be planted along the full 126' of Main Street frontage of Tax Lot 400.

Condition #15: Prior to Partition Plat approval a temporary 24' wide joint-use/access and maintenance easement over proposed Parcel #2 shall be executed and recorded. The purpose of the easement is for temporary access for all three proposed parcels to Main Street until which time Aster Street is constructed and then all three parcels shall take access from Aster Street cul-de-sac and ODOT will require the curb cut on Main Street to be removed. The temporary joint-use access easement shall include provisions that terminate all access rights to Main Street and all maintenance obligations for Parcels #1 and #3 at such time as legal, alternative access for the three parcels becomes available via Aster Street or any other public street.

Condition #16: A 10' wide clear vision triangle shall be maintained at the corners of all required driveways as stated in SDC 32.070.

Condition #17: As per ODOT requirements, the two existing curb cuts onto Main Street shall be closed prior to Partition Plat approval.

Condition #18: The applicant shall revise the configuration of Parcels #2 and #3 to accommodate the required 25' wide wetland buffer along the northern boundary of the wetland (Condition #9). The revised configuration shall provide individual access for both proposed Parcels #2 and #3 and accommodate the requirement for a 12' wide all weather access road within the 25' wide wetland buffer (Condition #10).

24 October 2001

Tentative Partition Plan Submittal for
Tax Lot No. 400, Assessors Map No. 17-02-34-43
City of Springfield, Lane County, Oregon

A. Written Statement

This property is currently vacant and is located on the south side of Main between 63rd Street and South 65th Street.

The proposed partition is intended to create three lots for single-family residential development with future access from the proposed extension of Aster Street. A change in zoning from low density residential (LDR) to medium density residential (MDR) conforms to the Metro Plan designation. The gross area of the property is 2.21 acres, however, excluding the wetlands and unbuildable slope area the developable land area is 0.44 acres. The developable area density is therefore seven units per acre. The developable area on the proposed Parcel 3 of the tentative partition only between the wetlands (on the north) and the slope (on the south). This would conform with Article 26, Hillside Development Overlay District Standards, and Article 38, Tree Felling Standards in the Springfield Development Code.

The existing drainage for the site would be maintained, thereby causing no adverse impact to the existing wetlands. All drainage from impervious areas would be piped to the existing storm drain system in Main Street.

The fence around the perimeter of the wetland area as shown on the tentative partition map is the limit of a wetland reclamation designed by T.D.M. Associates in April of 1994. A copy of the state permit for remediation is included with this application.